

WOODROW WILSON REHABILITATION CENTER POLICIES AND PROCEDURES	
Title: SEARCH AND SEIZURE	
Policy Number: 5.22	
Effective Date: 12/91	Page 1 of 2
Lead Department: RESIDENTIAL ADMINISTRATION	

OBJECTIVE

To manage the WWRC environment in a manner consistent with successful rehabilitation programming and to reduce risks to consumers, staff and visitors by defining appropriate circumstances for designated staff to search WWRC and/or consumer property and to hold property for further investigation and review.

POLICY

Staff may search Center property and personal belongings of consumers when there are available facts which provide reasonable grounds to search and the search is conducted to further the Center's function as an educational and rehabilitation institution and promote an environment conducive to these functions.

Reasonable grounds for a search is defined as observable and/or reported facts that provide Center personnel reason to believe (reasonable suspicion) that a search will turn up evidence that the consumer has violated or is violating either the law or Center regulations.

The measures used to conduct the search must be reasonably related to the objectives of the search and not excessively intrusive. Attempts are to be made to have the consumer present for the search. The Director of Residential Administration or higher authority that includes the on-call administrator must give prior approval for the search. The consumer must be informed in writing of the information received and the reason for the search. The information will be provided in a manner that protects the identity of persons who provided information confidentially.

The Center reserves the right to search center property but the consumer must give written approval to search their personal property. A WWRC Police Officer will normally conduct searches. The consumer's case manager will be present if the case manager is available. If the case manager is not available, the night counselor will be present. If neither is available, a dorm staff member will be present.

If a consumer refuses a search of personal belongings, this should not be construed as evidence that the consumer is in possession of contraband but may be noted as a failure to cooperate in a serious incident. The Review Board for serious incidents will consider the facts involved to determine appropriate consequences that may include a suspension of the consumer's program. Pursuant to the WWRC Police Department standard operating procedures a search warrant may be requested if they feel there is probable cause to suspect illegal activity

Parameters of approved searches include the following:

- Staff may search inside any locker, drawer, closet, bed or the like as they are considered property of the Commonwealth as long as they do not enter personal property without Consumer consent;
- Personal items handled must be returned intact and to the original location;
- Search of the person can be done with consumer permission and is limited to asking for removal of items from pockets, legs of pants and shirtsleeves. A minimum of two staff shall be included in the search of a person.
- In the event that there is reasonable suspicion to believe that a search will turn up evidence of danger to staff, consumer and/or property, approval may be given to search consumer personal belongings without consent.

WWRC will conduct on at least an annual basis unannounced preliminary sweeps for illegal drugs. These sweeps will be conducted by certified law enforcement personnel and certified K-9 officers trained to detect the presence of illegal drugs. If a K-9 indicates the presence of illegal drugs Center staff will proceed with a thorough search of the immediate area following the procedures outlined in this policy. During this activity the area being swept will be restricted to only authorized personnel. Any unauthorized individual attempting to enter the restricted area or interfere in any way with this search will, through their behavior, be satisfying reasonable suspicion for a thorough search of their person, belongings, and/or dorm room.

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